Strategic Market Status Investigation into Google's Mobile Platform

Google's Response to the Proposed Decision of 23 July 2025

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Google

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I. Introduction and Summary

1. In its Proposed Decision of 23 July 2025 (**PD**), the CMA anticipates designating Google as having strategic market status (**SMS**) in respect of what it terms "*Google's Mobile Platform*", comprising the Android operating system (**OS**), Google Play, Chrome, Blink, and certain other components. The PD treats these products as a group, which it proposes to subject to a series of conduct requirements (**CRs**), as set out in the accompanying Roadmap.

2. Google operates in a highly-competitive mobile environment, characterised by intense innovation, high-quality products, falling prices, high consumer and developer satisfaction, and customer choice. Android—as the only open-source mobile OS—has enabled OEMs to build powerful, differentiated devices at scale. Play, together with the multiple other distribution channels on Android, enables developers to reach broad audiences. Chrome and Google's open-source browser engine, Blink, facilitate best-in-class browsing. Google's innovation efforts reflect strong (and often asymmetric) competition, both from Apple and a range of other players.

3. The PD strains to dismiss or minimise consistent evidence that competition is working well for consumers. It resorts to unsubstantiated assertions, flawed analysis, and a misevaluation of the evidence, leading to conclusions that bear no relation to real-world market conditions. For example:

    a. The PD does not—and cannot—dispute Google's strong track-record of mobile innovation. Instead, it makes the unevidenced claim that Google's innovation is not motivated by competition and does not necessarily benefit consumers. This upends the basic principle that innovation is indicative of competition and good for consumer welfare.

    b. The PD does not—and cannot—dispute high levels of consumer satisfaction, as shown in the CMA-commissioned Accent Mobile consumer survey (**Consumer Survey**) and the Mobile Ecosystems Market Study (**MEMS**). Instead, it claims that consumers *do not know* whether they are satisfied, and that survey responses saying that they are can therefore be discounted. This claim is unevidenced and irreconcilable with businesses worldwide—and the CMA itself—consistently measuring consumer satisfaction as an important indicator of performance.

    c. The PD does not—and cannot—dispute that Google and Android OEMs compete with Apple to sell premium devices; that purchasers of premium devices generate more revenue for Google's services; and that Android OEMs actually lose 14% of their users to iOS every time users purchase a new device across wide-ranging price segments. Instead, the PD claims that Google focuses on attracting users of lower-priced devices (which generate less revenue), where Apple is not present, such that Google and Apple do not compete closely. This claim is incorrect, lacks commercial sense, is contradicted by Google's internal documents and external independent market studies, and disregards the simple and true explanation: Google *does* compete with Apple in

premium devices, but Apple is the market leader. It also ignores the undisputed fact that Google's innovation to win and retain users of premium devices benefits *all* users, including users of lower-priced devices, because Google does not discriminate in its innovation of Android.

d. The PD does not—and cannot—contest the heavy financial and engineering investment that Google continues to make in Android OS, Play, and Chrome. Instead, it claims that Google's ISA with Apple, which sets Google Search as the default in Safari, gives Google weak incentives to win or retain users on Android devices. But even highly conservative calculations show that, taking into account the ISA, if Android loses a *single* premium user to Apple, Google loses up to [✂]. That is why Google's documents show an unwavering focus on Android innovating and improving to win and retain users, and avoid them switching to Apple.

e. The PD does not—and cannot—dispute that Play's service fees have reduced by around 20% since 2020, while Play's quality and value for developers has increased, output has expanded, and the UK app developer community has thrived. But it denies that this price reduction reflects competitive pressure. To do so, it selectively cherry-picks a handful of developer claims that Play's fees are unfair, while refusing to benchmark Play's fees against relevant comparators, and ignoring survey evidence of high developer satisfaction. A proper benchmarking analysis would have shown that Play's service fees reflect a well-functioning competitive app store environment in the UK, where Play's share has, according to the PD, fallen to c. 25%.

4. Google has engaged intensively with the CMA over the course of this investigation and the CMA's previous inquiries into the mobile sector. Despite this, the PD improperly dismisses or ignores relevant evidence that Google has provided and independent market research agencies have collected, favouring instead unverified assertions of third parties. This contradicts the principles—which the CMA has underscored—that designation decisions should be evidence-based and proportionate. The PD gives the impression that the CMA is simply sticking to predetermined positions, even absent supporting evidence and despite contradictory evidence.

5. All this has practical consequences. Designation would make innovative Google products susceptible to a potentially wide range of interventions across 13 categories of CRs over a five-year period. It necessarily weighs on investment decisions and the rollout of new products and features. Any designation should therefore be based on a proper evaluation of the evidence.

6. Google remains committed to working collaboratively with the CMA as it administers the new UK digital regime but urges it to reconsider its PD.

7. This response is structured as follows: **Section II** shows that the Android platform is constrained by inter-platform competition. **Section III** shows that, in addition, Play, Chrome, and Blink are also constrained by intra-platform competition. **Section IV** addresses the PD's proposal on grouping the designated activities. **Section V** concludes.

II. The Android mobile platform does not have SEMP because it is constrained by inter-platform competition from, in particular, the market leader: Apple

8. Competition between Apple's iOS (the market leader) and Android (the number two) to win and retain users and developers has driven extraordinary levels of innovation and satisfaction in the smartphone space: 91% of Android users in the CMA's survey in the MEMS said they were "satisfied" or "very satisfied" with their Android device.[1] 89% of Play developers say they are "satisfied" or "very satisfied" with Play.[2]

9. The PD somehow dismisses this competition to contend that Apple and Google "*do not compete closely*" and finds that Google has substantial and entrenched market power (**SEMP**) for the Android mobile platform.[3] This analysis is deeply flawed. The sections below discuss the inter-platform competition Android faces to win users (**Section II.A**) and developers (**Section II.B**), respectively. The fact that Google licences the Android OS to OEMs for free under an open-source licence enhances—rather than diminishes—the level of competition that Android faces (**Section II.C**).

A. The Android platform competes against Apple to win and retain users

10. Android's competition with Apple to win users is demonstrated by copious evidence: high levels of switching; internal documents evidencing Google adapting its strategy and innovating as a competitive response to Apple; documentary evidence and consumer surveys attesting to intense competition for premium device users in particular; economic analyses of the revenues that Android loses if a user switches to iOS; and market outcomes that show that competition is working well.

1. Material numbers of Android users switch to iOS; the PD's analysis of the switching evidence is flawed

11. The PD seeks to dismiss the competition between Android and iOS by characterising it as a "*stable duopoly,*" and repeatedly referring to Google's and Apple's *combined* shares of supply in a single mobile market, thereby vastly overstating Google's position (PD, ¶¶6.19, 6.21, 6.23, 6.74, and 6.76). To support that characterisation, the PD argues that Google and Apple focus on different sets of users, and that "*evidence on end-user switching*" supports that there is "*limited competition*" for end users (PD, ¶6.28).

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1 *See* Accent, Consumer purchasing behaviour in the UK smartphone market - CMA research report, June 2022, Figure 11.

2 MTM, UK developer attitudes towards app stores, June 2025, p. 47.

3 Finding SEMP under the DMCCA requires an assessment of all constraints on a firm's ability to profitably sustain prices above competitive levels or degrade quality or innovation (CMA194, ¶2.55 and fn. 43), reflecting *"unprecedented market power"* (Department for Business and Trade and the Department for Science, Innovation and Technology, Digital Markets, Competition and Consumers Bill Explanatory Notes, ¶3). The PD consistently disregards considerations relevant to the assessment of SEMP—including the PD's own factual findings—in particular, in respect of competitive engagement, levels of innovation, and customer satisfaction, in a way that is unlawful and irrational.

12. In reality, switching from Android to iOS is commonplace. Each time a user buys a new smartphone, they face a decision of whether to go with Apple or Android. And users are frequently choosing to go with Apple:

    a. Undisputed Google data indicates that Android loses around [✂] of its UK users to iOS each time they buy a new device (PD, ¶6.33). This equates to approximately [✂] Android device users in the UK switching to iOS the next time they purchase a new smartphone.[4]

    b. The CMA's Consumer Survey finds a similar level of switching (PD, ¶6.31), with the PD observing switching at "*a similar order of magnitude*" as that shown by Google's data (PD, ¶6.34). Specifically, the survey finds that 14% of previous Android users switched to iOS at their last purchase, and an additional 10% considered switching (PD, ¶¶6.31(a)(i) and (ii)).[5] In other words, around 1 in 4 Android users actually switched or considered switching to Apple at their last purchase decision.

    c. The fact that there are lower levels of switching from iOS to Android (PD, Figure 6.4) is irrelevant to the competitive constraint that Android faces from Apple. It simply reflects that Apple (not Android) is winning the competition for users—as also indicated by Apple having a higher share than Android in every year since 2017 (PD, Figure 6.1) [✂].

13. Substantial levels of switching from Android to iOS are all the more significant in view of high satisfaction levels with Android (PD, ¶6.47(b)): the CMA's Consumer Survey found that 47% of users that did not switch mobile platforms did not do so because they are happy with their existing smartphone,[6] consistent with CMA's previous finding in the MEMS that 91% of Android users are satisfied or very satisfied with their Android device. High rates of satisfaction—combined with substantial switching—indicate a competitive, well-functioning market and are irreconcilable with the suggestion that Android is insulated from competition.

14. The PD does not dispute the high levels of satisfaction shown in the Consumer Survey and found in the MEMS. But it cursorily seeks to evade this evidence, speculating that UK consumers cannot really assess whether they are, in fact, satisfied (PD, ¶¶6.47(b) and 6.57). In doing so, the PD seeks to distance itself from the verdict of survey respondents that they are happy with their mobile products. The PD's approach is irrational: (i) the CMA commissioned the relevant survey question in the first place and identified satisfaction as an option to explain the choice not to switch; and (ii) the PD provides zero evidence in support of its claim, which is irreconcilable with

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4 There were approximately [✂] active Android smartphones in the UK in 2024. Applying the churn rate to iOS, this results in [✂] users switching to iOS.

5 *See* Consumer Survey, Figure 27.

6 In fact, the top five reasons for non-switchers to stick with Android all related to consumer satisfaction with Android: happy with existing smartphone brand (47%); could not see significant benefits from switching to iOS (35%), identified more closely with Android (35%), did not like the OS for iOS (35%), and wanted a new version of the same phone on the same OS (33%). Consumer Survey, Table 13.

businesses worldwide—and the CMA in multiple cases[7]—assessing consumer satisfaction as a strong indicator of well-functioning markets. The PD's approach is at odds with the promise of a proportionate, evidence-based regime.

15. The PD advances five other arguments to dismiss the switching evidence. All lack merit:

16. First, the PD asserts that 1 in 4 users actually switching or considering switching is "*relatively limited*" (PD, ¶6.31). It provides no benchmark or evidentiary support for this claim. In reality, both economic literature and CMA precedent treat significantly *lower* switching rates as evidence of close competition. Switching rates from Android to iOS are comparable to those between different brands of orange juice and margarine,[8] different supermarkets,[9] and different bank accounts,[10] which indisputably compete closely in the same market.

17. Second, the PD tries to diminish the switching evidence by claiming that "*most users replac*[e] *their smartphone every four years,*" concluding as a result that once a user has bought a device, they are "*likely to be locked in*" for a "*substantial period of time*" (PD, ¶6.29). In support, however, the PD cites a single press release from Vodafone with a "*lifetime service promise*": given the commercial objective of Vodafone's lifetime programme, it is unsurprising that Vodafone advertised a long average device lifespan.[11] In contrast to the PD's cherry-picked example, evidence suggests that UK consumers change their phone every 2-3 years.[12] In any event, consumers retaining the same device for a longer period would *strengthen* Google's incentive to compete for these users, as they will generate revenue for that longer period.

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7 *E.g.*, the CMA's final report in its Energy Market Investigation identified a "*marked increase in recorded customer complaints*" which had risen sixfold between 2008 and 2014 (CMA, *Energy Market Investigation*, Summary of Final Report, 2016, ¶203).

8 J. Dubé *et al* Do Switching Costs Make Markets Less Competitive?, March 2008, Table 4, p.40 (switching rates of 14-22% between different brands of orange juice, and 10%, 16%, and 18% between different margarine brands; the switching rates are based on 'sample re-purchase frequencies' which is the probability of the repurchase of a product that is the same brand as the previous purchase).

9 CMA, *J Sainsbury PLC/Asda Group Ltd*, Final Report, 2019, ¶8.144 (only 20-30% of survey respondents would consider switching between Sainsbury's and Asda, which was considered sufficiently close competition to block the merger).

10 CMA, *Retail Banking Market Investigation*, Final Report, 2016, ¶6.37 (a 13% switching rate for savings products was identified as a favourable benchmark).

11 The PD also notes that devices may receive security updates for five to seven years (PD, fn. 204). But the fact Google makes efforts to continue to support older devices for a small minority of users says nothing about the average frequency at which users purchase new devices.

12 *See, e.g.*, BusinessWire, Strategy Analytics: Smartphone Replacement Cycle Will Shorten to 33 Months in Western Europe by 2025, 8 January 2021; HYLA Mobile, Mobile Trade-In Industry Trends:2020 Annual Summary, 2020; and Uswitch, UK mobile phone user statistics survey, September 2022. Moreover, given that Android competes with iOS on a global basis, what matters is the *global* replacement rate, which is even more frequent, *see, e.g.*, SellCell, How Often Do People Upgrade Their Phone? (2023 Statistics), 22 November 2023.

18. Third, the PD observes that switching takes place between different device price points: smartphone user switching "*often involves users upgrading or downgrading into a different price segment*", and high-spending users in particular are abandoning Android in favour of Apple (PD, ¶6.37). The PD's observation confirms that Android lacks SEMP because it is *losing* the high-spending customers to Apple. It also contradicts the PD's thesis that Android and Apple are not close competitors because they focus on different price segments (PD, ¶6.27). In reality, the data shows substantial switching, with users moving between different devices (and differently priced devices).

19. Fourth, the PD accepts that, while 24% of users actually switched (14%) or considered switching (10%) from Android to iOS, the fact that the remainder did not consider switching indicates "*high levels of consumer disengagement*" (PD, ¶6.47(a)). But of the reasons given for that cohort not switching or considering switching, there is no indication that consumers are suffering from poor outcomes, or that they are disengaged with their choice of OS. Rather, 61% of Android users indicated they could not see significant benefits from switching or they wanted a newer version of their previous Android device: in other words, they were happy with Android (PD, ¶6.47(a)).[13] Far from suggesting consumer disengagement, the evidence shows that user retention is driven by user satisfaction, which is the result of competition between Android and iOS.

20. Fifth, the PD claims that "*Google and Apple have large sticky customer bases*" due to "*material barriers to switching*" (PD, ¶¶6.47 and 8.57(c)). [✂] This is shown by the CMA's Consumer Survey,[14] the data on switching rates set out above, Google's internal documents,[15] the facts of the market of how easy it is to switch from Android,[16] and the PD's own acknowledgement that "[e]*nd-users are less likely to switch from Apple's iOS smartphones to Google's Android than vice versa*" (PD, ¶6.32).[17]

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[13] Besides, for two companies to compete, it is not necessary that *all* users switch in response to a SSNIP or SSNDQ. What matters is the response of *marginal users* and whether sufficient switching takes place at the margin to render a SSNIP or SSNDQ unprofitable. When it comes from Android to iOS switching, 1 in 4 users already switch or consider switching absent any relative SSNIP or SSNDQ. This causes substantial revenue losses to Google, as shown in **Section II.A.3**, *below*. That not every single user may switch is irrelevant, especially given their high satisfaction rates with Android.

[14] The PD cites Table 13 of the Consumer Survey to suggest that of Android *non-switchers,* it is barriers to switching that stopped them switching. This is misconceived for two reasons. First, it is wrong to focus only on non-switchers, all users matter when it comes to assessing switching, and the 14% of Android to iOS switchers obviously faced no barrier. Second, the PD omits that the top five reasons for non-switchers to stick with Android had (according to the survey itself) nothing to do with barriers, but were due to high satisfaction levels (*see* Table 13, white-shaded cells in final column), *see* fn. 6 *above*.

[15] *E.g.,* [✂].

[16] Android facilitates users migrating from Android to iOS, [✂].

[17] *See* also Google's submission of [✂].

2. Google's internal documents consistently evidence it seeking to adapt its strategy as a competitive response to Apple

21. The PD suggests that Google's internal documents do not evidence Google adapting its commercial strategy in response to Apple (PD, ¶6.56(b)). This is wrong. In reality, Google's internal documents consistently show that remaining competitive with Apple and seeking to innovate in response to Apple is at the core of Google's strategic decision making. The following examples are illustrative:

a. [✂][18] [✂][19]

b. [✂][20]

c. [✂][21]

d. [✂][22]

e. [✂][23] [✂][24]

f. [✂][25]

22. Google's development of its mobile products—including innovations, new products, and prices—are driven by competition with Apple. For example, Google reduced Play's service fees in 2021 and 2022 in response to Apple lowering App Store fees. And Google's internal documents show that release of Apple / iOS features spurs Google's own innovations and are [✂][26]

a. [✂][27]

b. [✂][28]

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18 [✂]

19 [✂]

20 [✂]

21 [✂]

22 [✂]

23 [✂]

24 [✂]

25 [✂]

26 [✂]

27 [✂]

28 [✂]

c. [✂][29]

3. Apple and Android compete head-to-head for premium users, which benefits all users because Android does not discriminate in innovation

23. It is common ground that Android supports both cheaper and higher-end devices, while Apple focuses on the higher-end. This is illustrated in the PD at Figure 6.2, which shows that the overlap between Android and Apple devices arises in the >£300 segment.[30]

24. The PD argues, however, that the competitive constraint imposed by Apple on Google is "*limited*" because "*Apple and Google focus predominantly on different price segments, with Apple holding a higher share of higher-priced mobile devices, and Google holding a higher share of lower-priced mobile devices*" (PD, ¶6.25). But the fact that Android caters to a broader universe of price points does not call into question the fact that Android and Apple compete closely. The large majority [✂] of Google's revenues from Android devices (via Search and Play) come from devices priced >£300 (>$400), *i.e.*, the price point at which the PD explains that "*there is an overlap between iOS and Android*" (PD, ¶6.25(b)).[31] In other words, on the PD's premises, the large majority of revenues that Android earns come from devices that are similarly-priced to Apple's.

25. The importance of Android seeking to win and retain high-value users in competition with Apple is a consistent theme in Google's internal documents. As discussed in **Confidential Annex I**, those documents show that Apple, not Android, is winning this competition, which has outsized competitive relevance because of the value associated with users of high-end devices. Google's documents are consistent with the PD's finding that Apple holds "*a higher share of higher-priced mobile devices*" (PD, ¶6.25). [✂][32]

26. Critically, the competition to win high-end users benefits all Android users. Google does not discriminate between users of more and less expensive devices when it comes to its innovation efforts—a point the PD accepts (PD, ¶6.44(c)). New features in Android OS updates are made available on Android devices at *all* price levels, not only premium devices. In other words, the intense competition between Google and Apple to win and retain higher-end users percolates through to benefit all users.

27. The PD does not dispute these facts, but seeks to evade them based on four arguments:[33]

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29 [✂]

30 Apple and Samsung, who together account for ~80% of devices in the UK, confirmed that Android and iOS devices are available at most price points (PD, ¶6.27(c)).

31 Google's [✂].

32 [✂]

33 The PD also suggests that because of the ISA with Apple, Google has a weak incentive to compete with iOS for premium users. This is wrong, as the analysis in **Section II.A.4**, *below*, shows.

28. First, the PD claims that "*it does not follow that just because premium users account for greater revenue on average than low-end users, Google has an incentive to target those users*" (PD, ¶6.44(b)). But it *does* follow*:* Google's financial incentive is, self-evidently, to target higher-end users that generate more profit (Google's mobile costs are the same whether it targets lower-end or higher-end users). And that is why Google's documents consistently refer to the competition to win high-end users from Apple.

29. As well as lacking commercial sense, the PD's suggestion that Google focuses or targets users of lower-priced devices fails because it is third-party OEMs, not Google, that set the prices of devices. For the small minority of devices for which Google does set the price (*i.e.,* Pixel), all target the premium segment.[34]

30. Second, the PD observes that "*low-end Android device users still generate* [✂] *of Google's total Play fee and search ads revenue*" (PD, ¶6.44(b)). In other words, [✂] Search and Play revenue come from devices that overlap with Apple directly on price, contradicting the PD's core thesis. Low-end Android device users contribute [✂] of Google's Play and Search revenue *precisely because* Apple is winning competition for premium users; not because Google and Android OEMs have chosen to focus on the low-end device segment (which would not make financial sense). If Android were not constrained by Apple, that proportion would be even lower: specifically, if all Apple users were on Android, the proportion of Google's revenues from devices <£300 would be [✂].[35]

31. Third, the PD claims that it is *"commonplace"* for firms in differentiated markets to not always target the highest spending customers (¶6.44(b)). In standard models of differentiated product market competition, firms facing a trade-off might position themselves on a price-quality spectrum to target some set of users more than others (for instance, a premium fashion brand designs high-quality clothing and sells at a premium price, at the expense of sales to more price-conscious customers). This standard model does not apply to Google's mobile activities: Android devices occupy the whole spectrum of the market, from the lowest tier to the premium segment that competes head-on with iOS devices. Google, in turn, builds an OS that is fit for both low and premium tier devices. It licenses Android for free and at the same level of quality, regardless of the device that uses it. And while Google generates higher revenues from premium users, its costs are the same across users of *all* device types.

32. Fourth, the PD speculates that non-premium Android users may value Android innovations "*differently to premium users*" (PD, ¶6.44(c)). No evidence is provided for this claim. And contrary to what the PD suggests, it was not something that the CMA tested in the Consumer Survey. The Survey never asked premium and non-premium users about innovations. All the Survey shows is that multiple different factors are important to Android users when choosing a smartphone, including the camera, storage, OS, speed, security, and privacy features.[36] The fact

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[34] The average price of a Pixel device sold in the UK in 2024 was $796, according to IDC. The latest Pixel generation released in 2024 (Pixel 9) was more expensive ($866 for the baseline version).

[35] [✂]

[36] *See* Consumer Survey, p. 17.

that 58% of all Android users consider price to be important says nothing about whether premium and non-premium users value different innovations or the same ones.[37] The PD's proposition is also contradicted by the fact that Google's internal documents show that [✂].[38]

4. Google loses around [✂] over a 10-year horizon if a user switches from Android to iOS

33. Ultimately, Google's incentives to win or retain a user on Android and prevent that user switching to iOS can be calculated empirically. That calculation should compare the revenues that Google makes on an Android device with the equivalent expected revenues on an iOS device.

34. The PD never conducts any such exercise. Instead, it simply asserts that Google's ISA with Apple "*significantly reduces*" Google's incentives to compete with Apple on the basis that: (i) the impact of Google losing an Android user is softened because that user might use Google Search on iOS where Google Search is currently set as the default search engine on Safari; and (ii) Google has a "*wider incentive not to disrupt its relationship with Apple by competing with it head-on*" (PD, ¶¶6.65-6.67). The PD's theory is wrong for several reasons:

35. First, Google earns substantially more revenues by retaining a high-value user on Android compared to losing that user to iOS. These higher revenues from Android users derive from, among other things: [✂].

36. **Confidential Annex II** shows an analysis by Compass Lexecon, [✂] that assesses the respective monetary value to Google of Android and iOS users. **Confidential Annex II** also sets out the methodology underlying these calculations.

37. The analysis is highly conservative because [✂].

38. Still, even on this conservative basis, the analysis shows that, if a user switches from Android to iOS, Google loses considerable revenues each year: **amounting to** [✂] **for a non-Pixel premium Android user and** [✂] **for a Pixel Fold user.** [✂]

39. In addition, when a user switches from Android to iOS, they are unlikely to switch back, [✂]. The revenue Google loses from that user is therefore not limited to a year, but likely includes *all* revenue generated by that user in the future. This compounds the negative financial impact to Google. To illustrate, calculated over a ten-year horizon (corresponding to just 2.5x device lifetimes, even using the PD's overestimate), and accounting for the switch-back rate of 4% identified by the CMA's survey, this equates to: [✂] **and** [✂] **lost when a single UK user switches from Android to iOS.**

40. [✂][39] [✂]

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37 *See* Consumer Survey, p. ii.

38 [✂]

39 [✂]

[✂] **1-year revenue loss of a non-Pixel premium Android user switching to iOS (USD)**

[✂]

41. The analysis above looks at average figures for a single user. In aggregate, the lower bound of the amount that Google stands to lose from users switching to iOS is *much* larger. To illustrate this, the table below shows the amount 'at risk', *i.e.*, the amount Google would lose over the next device lifecycle if all premium UK Android users that either did switch (or considered switching), switched to iOS at their next purchase decision.[40] This loss would be up to [✂]:

[✂] **at-risk value of premium UK Android users switching to iOS at next purchase decision (accounting for loss over four year device lifecycle for each user)**

Metric	**Figure / calculation**
Number of active Android devices >$700 (UK, 2024)	[✂]
% switching to iOS at next purchase decision	24%
Number switching to iOS at next purchase decision	[✂]
Value of losing one user (four years)	[✂]
Value of lost users (four years)	[✂]

42. In other words, the analysis shows that Google earns substantially more revenues from retaining and winning a user on Android compared to them switching to iOS. These lost users are often those that are increasing in value (*i.e.*, because they initially bought an entry-level Android phone and have gradually increased their spend both on the device and on related products and services). This further exacerbates the economic impact of the loss, because Google is missing out on the continuing upward trajectory of the user's value.

43. Second, Google has a strong incentive to maintain Android as a viable competitor to Apple iOS and win and retain users on Android, because on iOS [✂][41] [42] [43]

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40 According to the Consumer Survey this is 24% of active UK Android users. *See* PD, ¶6.31(a)(i).

41 *See* CMA, MBCG MI, Final Decision Report, 2025, ¶4.291.

42 *See* CMA, SMS Investigation into Apple's Mobile Platform, Proposed Decision, 2025, 1.11(e).

43 [✂].

44. Third, the ISA was agreed several years *before* Google launched Android in 2007. The fact that Google nevertheless chose to enter the mobile OS market and compete directly with Apple disproves the notion that the ISA has in any way dulled Google's incentives to compete with Apple for fear of Google "*disrupt*[ing] *its relationship with Apple*." Since that time, Google has entered several other markets where Apple is active, for example through launching Pixel and Pixel Watch as a direct competitor to Apple iPhones and watches. Similarly, Apple has launched competing products to Google's, such as Apple Maps.

45. Fourth, Google's documents as discussed in **Confidential Annex I** show Google does everything it can to retain users on Android and are inconsistent with the claim that Google does not have a strong incentive to win users from iOS. Google's marketing material also reflects a concerted effort to win and retain users from the iPhone. A new ad launched in August 2025 contrasts readily available AI capabilities on Pixel with the much-delayed Apple Intelligence on iPhones. The narrative voiceover in the ad explicitly encourages users to "*just change your phone*".[44] Clearly, this tenacious effort to win users from Apple has not been tempered by the nebulous relationship concerns the PD cites.

46. Finally, the PD speculates that as a result of the ISA, "*the financial consequence on Google of losing a user from its Mobile Ecosystem are diminished compared to a situation in which the revenue sharing provisions are not in place*" (PD, ¶6.65). But the legal obligation on the CMA is to assess whether the "*Google Mobile Platform*" has SEMP such that it can behave independently of competition, not whether in some imaginary counterfactual there might be still greater competition. The Compass Lexecon analysis unquestionably shows that Google has an extremely strong incentive to win and retain users on Android.

5. Market outcomes show that Google and Apple compete and that competition is working well for consumers

47. The strong competition between Android and Apple to win users has led and continues to lead to positive market outcomes that benefit consumers.

48. Indeed, the PD recognises that Google has been a driving force for innovation, not only by improving its own products and services but also by providing a basis for innovation for third parties, such as app developers (PD, ¶6.54; Roadmap, ¶2.19). It finds that Google has a "*strong incentive to innovate to increase usage of the mobile platform*" and identifies a range of improvements that Google has made in the last few years (PD, ¶¶6.54-6.55). The PD also stresses that the UK has a "*vibrant app developer community*" and that multiple businesses rely solely on apps to reach consumers (PD, ¶1.9).

49. The PD is right to do so. UK mobile users have more options than ever before, with new Android device models—each boasting groundbreaking hardware and software features—released regularly. These include both entry-level and top-of-the-range, high-spec devices, such as the Pixel 9 Pro Fold and newly-launched Samsung Galaxy Z Fold7. And by offering a platform that is simultaneously open, highly secure, and compatible, Android provides a springboard for

[44] The Verge, Google dunks on Apple Intelligence in new Pixel 10 ad, 4 August 2025.

developers to create apps that they can distribute to users with ease. This has turbocharged the UK app economy and turned it into a key driver of UK growth: in 2024 Android generated over £9.9 billion in revenue for developers in the UK.[45] The Android ecosystem, in turn, supports over 534,000 jobs in the UK.[46]

50. The undisputed high levels of innovation, consumer and developer satisfaction, and substantial switching indicate a well-functioning, competitive market.[47] This is inconsistent with the PD's later suggestion that Android exercises substantial market power; that it can act independently of customers, consumers, and competition; or that innovation is being *"held back"* by a lack of competition (PD, ¶6.56(d)). The PD suggests that this vibrancy exists in spite of a lack of competition; in fact, it exists precisely *because* of the presence of strong competition.

51. The PD, however, stretches to *condemn* a multitude of Google innovations. It claims—without evidence—that they are attributable to factors other than competition and dismisses them as "*less likely to be beneficial for consumers over time*" (PD, fn. 260). This assessment is anti-innovation and flawed:

    a. **Google's innovations on mobile demonstrably benefit consumers.** In **Confidential Annex III**, Google provides a snapshot of its mobile innovations over time. In the 10 month-period between releases of Google's Pixel 8 and Pixel 9, Google released an additional c. 67 minor and mid-level software updates on Android. There can be no doubt whatsoever that these innovations—which improve the user experience, expand developer capabilities, and enhance privacy and security—benefit consumers. Google's level of innovation far surpasses that seen by services that operate in markets that are less constrained by competition (*e.g.,* [✂]).

    b. **Google seeking to increase usage of its services is entirely compatible with high levels of mobile competition.** The PD dismisses Google's innovations on Android on the basis that they seek to "*increase usage of the mobile platform to maximise revenue from search*" (PD, ¶6.55), rather than in response to competition. This is a false dichotomy: Google innovates to ensure that it can win and retain users on Android, rather than rival platforms. Anticipating or responding to users' preferences through new products and services is part of this. Innovations that increase usage of Google's services are therefore genuine innovations, and the innovations listed in **Confidential**

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45 *See* Google UK Economic Impact Report.

46 *See* PPI, The UK App Economy: 2023, June 2023, p. 4.

47 *See*, for example, CC3 (Revised) Guidelines for Market Investigations, 2013, ¶182: "*When firms face competition—whether from other incumbents or from the threat of entry—the possibility of generating high profits encourages them to discover new products and processes. In contrast, firms that do not face competitive pressures may choose not to invest significantly in R&D*".

Annex III indisputably enhance the quality of Android in competition against Apple.[48] Relatedly, the PD's suggestion that "*some of the main AI features Google has introduced to its platform so far are innovations linked to search*" is both irrelevant to an assessment of mobile competition—the fact that Google Search is highly innovative, too, is beside the point—and incorrect because it ignores Google's multitude of AI-based innovations on Android and Pixel, as shown in **Confidential Annex III**—for example, theft detection lock.

c. **The PD's assessment is incompatible with extremely high levels of consumer satisfaction**. In both this investigation and the MEMS, the CMA has commissioned survey evidence that shows extraordinarily high levels of consumer satisfaction with their smartphones.[49] If Google's innovations did not benefit consumers (as the PD suggests at fn. 260), one would expect consumers to express some dissatisfaction.[50] To the contrary, the evidence shows that smartphone consumers are highly satisfied, not dissatisfied. The PD's claim is also disproved by the fact that almost half of switchers between iOS and Android did so because they considered the alternative better quality.[51]

52. Confronted with evidence of intense innovation and high consumer satisfaction, the PD retreats to the claim that, if Google faced "*stronger competition*" it might have even stronger incentives to improve the quality of Android yet further (PD, ¶6.58). That is a meaningless and untestable statement that has no bearing at all on whether Android has SEMP. The PD offers no benchmark, comparator, or other basis to suggest that innovation on mobile is *below* what one would expect in a competitive market. On the contrary, the extensive innovations that Google has brought to the CMA's attention and high consumer satisfaction confirm that competition is working well—far surpassing the levels of innovation in other markets—and show that Google cannot behave independently of customers, consumers, and competition.[52]

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48 To give two examples amongst many in **Confidential Annex III**: first, Google's Pixel 9 Pro offers a state-of-the-art, triple-lens camera (described as the phone's "*crown jewel*"), a Google innovation to ensure that Pixel devices remain competitive; second, Android powers some of the world's first fold and flip phones like those in the Samsung Galaxy Fold series.

49 *See* Consumer Survey, Table 13, where almost half of users reported not switching smartphones because they were happy with their existing smartphone. In addition, the Accent, Consumer purchasing behaviour in the UK smartphone market - CMA research report, June 2022, survey found that 91% of Android users said they were "satisfied" or "very satisfied" with their device.

50 In past cases where competition has been found to not be working well, the CMA identifies actual consumer harm and consumer dissatisfaction. *E.g.,* CMA, Energy Market Investigation, Summary of Final Report, 2016, where the CMA found evidence of declining quality and consumer frustration.

51 *See* Consumer Survey, p. 59.

52 The only supposed example the PD gives of a "*held back*" innovation concerns Chrome browser extensions (PD, ¶6.56(d)). Google's decision not to pursue support for browser extensions on Chrome on mobile was [✂]. *See* [✂].

53. Instead, the PD lists five supposed concerns about how a lack of competition in mobile platforms is impacting the ability of app developers to innovate, which "*could mean that UK consumers lose out*" (PD, ¶¶1.11-12). These concerns are misguided and unsubstantiated:[53]

a. The first three issues concern Play's app review process, Google's use of developer data, and Play's ranking. On each of these issues, the CMA concluded in the MEMS that its concerns related to Apple's practices rather than Google's. It reached this conclusion following an intense, year-long programme of engagement with third parties, including app developers.[54] The PD's reversal seems, for Play's app review process, to be based on an unsubstantiated allegation raised by a *single* developer at a closed workshop (PD, ¶2.13(c)(ii)), and vague, unsubstantiated allegations from a small handful of ITC respondents. The PD also ignores feedback from "*a number of participants*" at the workshop who stated that "*Google is generally more flexible and responsive than Apple, which allows for a better process for third-party apps*".[55] And as far as Google can tell, not a single workshop attendee raised concerns in relation to Play's app ranking or Play's use of developer data.

b. The fourth issue concerns Play's service fees, where the PD repeats the claim made by a small handful of developers that the commission fee "*makes the distribution of some digital content and services unviable*" (PD, ¶1.11(d)). This claim is hard to square with the PD's recognition of a "*vibrant app developer community*" where many UK businesses rely *"solely on native apps as their main channel to reach customers*" (PD, ¶1.10), and where it is undisputed that Play's fees have decreased by 20% since 2020, while its value has increased, and output has expanded. Importantly, a benchmark analysis shows that Play's fees are highly competitive (**Section II.B.3**, *below*).

c. Finally, the PD claims that Google uses its agreements with device OEMs to influence the distribution of its apps (PD, ¶1.11(e)). These agreements are non-exclusive, contestable, device-by-device, and procompetitive: they *help* OEMs compete against the market leader, Apple, by providing users with an attractive out-of-box offering of high-quality apps. They also lower OEMs' marginal costs (and, in turn, reduce retail device prices) by enabling OEMs to monetise their real estate. As Samsung explained to the CMA, Google's Android agreements enable Samsung to "*invest in and compete on product innovation and lower retail prices*";[56] a benefit that the CMA recognised in the Mobile

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[53] Any decision by the CMA must be proportionate, evidence-based, sufficiently reasoned, and made after sufficient inquiry (*see* Competition Appeal Tribunal, *Skyscanner Limited v Competition and Markets Authority*, 2014, ¶156; Competition Appeal Tribunal, *JD Sports Fashion plc v Competition and Markets Authority*, 2020, ¶¶98). On several important issues, discussed throughout this response, the CMA has failed to act rationally in properly gathering and assessing the relevant evidence.

[54] CMA, MEMS, Final Report, 2022, ¶¶6.53, 6.108, and 6.92.

[55] CMA, SMS Investigation into Apple's and Google's Mobile Ecosystems, App Developer Workshop Summary Note, 24 March 2025.

[56] CMA, SMS Investigation into Apple's and Google's Mobile Ecosystems, Samsung Response to the Invitation to Comment, January 2025, ¶8.

Browsers and Cloud Gaming market investigation (**MBCG MI**), and that the PD does not contest.[57]

54. In any event, the PD does not evaluate whether any of these five concerns are correct; whether they are supported by evidence; or whether they are ubiquitous or put forward by a small number of commercially-motivated complainants. Instead, the PD irrationally treats the mere expression of unverified concerns as evidence that supports designation. It places greater weight on these unverified allegations than on actual evidence (from data, market participants, internal documents, and the previous MEMS findings) showing the contrary.[58]

B. The Android platform competes against Apple and other platforms to win and retain developers

55. As well as competing for users, Android competes against Apple for developers. The need for Android to attract app developers reinforces the constraint that Apple exercises. If Google were to degrade the quality of its mobile products, fewer users would use Android devices, which would reduce developers' incentives to write apps for Android or spend much effort in writing them. This, in turn, would further reduce the number of Android users, triggering a spiral of decline. The need to maintain app developer support is therefore a further powerful constraint on Google's ability to degrade quality.

56. In reality, Play competes for developer support at an inter-platform level with app stores (including Apple's App Store), PCs, and consoles. The 20% decline in Play's fees since 2020, while Play's value for developers has increased, and Play's app store share has fallen to c. 25%, confirms the competition Play faces for developers.

1. The evidence shows that Play and the App Store compete fiercely for developer support

57. Play's innovation rate, its declining market share, developer prioritisation rate, third-party statements, and Google's internal documents all attest to the strong competition Play faces from Apple's App Store for developers.

58. **First, Play's innovation rate contradicts any suggestion it has SEMP.** The PD recognises that Google has implemented quality improvements to Play over time, citing Google's launches of Play Data Safety Labels and the Android Excellence program as examples of Play directly responding to competition from the App Store (PD, ¶6.90 and fn. 313). These are only two of the many innovations Play has developed—and provided evidence of to the CMA—to retain users and dissuade developers from prioritising development for iOS.[59]

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57 CMA, MBCG MI, Final Decision Report, 2025, Appendix B, ¶¶80-81.

58 *See* further, [✂].

59 *See* the lists of improvement Play has launched that relate, among other things, to (i) security, (ii) discovery and engagement, (iii) app delivery, and (iv) app development, optimisation and monetisation tools, in [✂]; Google's [✂]; and Google's [✂].

59. The PD dismisses these improvements, speculating that Google's "*incentives to make product improvements for app developers*" are "*unlikely to be strongly driven by Google responding to competition from the App Store*" as they instead aim to "*increase user engagement*" or seek "*revenue opportunities*" (PD, ¶¶6.91, 6.93). This claim is wrong for the same reason as the PD's dismissal of Android's improvements on the user side (*see* **Section II.A.5**, *above*). It is unevidenced, incompatible with high levels of developer satisfaction, and based on a false dichotomy (in reality, innovations that seek to increase engagement are genuine innovations and are driven by competition).

60. In addition, the PD suggests that Play makes improvements "*which seek to retain and only benefit a small subset of app developers*" citing internal documents that refer to [✂] (PD, ¶6.92(b)). This argument is deficient for the same reason as the PD's argument regarding users of cheaper Android devices—Google does not discriminate in its innovation in Play. More fundamentally, it overlooks the fact that smaller developers (most of whom pay no service fee at all, and the remainder pay reduced rates) benefit hugely from Play's services. In the words of ACT | The App Association, "*SMEs are able to take advantage of constantly improving tools and technologies as online marketplaces compete for their business*."[60]

61. **Second, the PD finds that Play has a small and falling share of revenue across UK mobile devices.** The PD finds that, when considering all mobile devices in the UK, Play's share of net revenue from developers has fallen from c. 35% in 2020 to just c. 25% (PD, ¶6.101). During the same period, Apple's share increased from c. 65% to c. 75% (PD, ¶6.101).

62. To get around this obvious flaw in its case, the PD notes that Play's net revenue has increased, while Play has been losing share (PD, ¶6.102). That simply means that Play is growing more slowly than the rest of the market. It is a function of Play participating in, in the CMA's words, a "*key growth area of the economy*" (Roadmap, ¶1.3), but losing share at the same time. A share of around 25% that is falling is inconsistent with any suggestion that Play could have SEMP, which requires, in particular, "*a forward-looking assessment, over a period of at least five years*."[61] By contrast, an increase in net revenues is not identified as evidence of SEMP in the Digital Markets, Competition and Consumers Act 2024 (**DMCCA**), the DMCCA Guidance, or case law on market power.

63. **Third, the PD overlooks evidence that developers prioritise the App Store**. The PD claims that there is "*limited evidence*" that developers prioritise the App Store in development (PD, ¶6.84).[62] This is not the case:

    a. Developers have an obvious financial incentive to prioritise iOS because, as the CMA has identified, "*users on average spend more per year through Apple IAP than Android*

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60 ACT | The App Association, Response to ITC, p. 2.

61 CMA, Digital markets competition regime guidance CMA194resp: Summary of responses to the consultation, 2024 (**DMCCA Guidance**), ¶2.56.

62 The PD's conclusion seems to be based on comments from a single developer proactively raising their prioritisation of iOS in a meeting (PD, fn. 303).

users."[63] The fact that the App Store overall accounts for c. 75% of consumer spend reflects this.

b. Google's documents repeatedly refer to [✂] competitive driver for Play to improve its offering.[64]

c. Examples of major apps that have released app versions and features on iOS up to a year and a half before Android include Facebook, Whatsapp, Instagram, Clubhouse, Roblox, Clash of Clans, Fortnite, Alto's Adventure, Duolingo, and Super Mario Run.

d. A range of app development guides prioritise development for iOS over Android.[65]

e. The fact that 15 out of 55 app developers told the CMA that they needed to distribute via Play and the App Store, says nothing about whether they prioritise iOS or Android in development (PD, ¶6.84(b)). All it shows is that almost 75% of developers did not tell the CMA that they needed to distribute on both Android and iOS, which contradicts the PD's core thesis.

64. The fact that developers today prioritise Apple in development is relevant to the PD's claim that developers would have no response to Play increasing price (PD, ¶6.83). Developers *already* prioritise development for Apple; faced with a SSNIP, that effect would be exacerbated, leading to a reduction in quality of the platform for users (who would not be able to access popular apps immediately) and, in turn as users switch away from Android, a reduction in developers' incentives to write apps for Android.

65. **Fourth, the PD provides no basis for dismissing third-party evidence that Play and the App Store compete on quality**. Apple and industry associations confirmed that Play and the App Store compete on quality, and that Play provides value for developers in terms of discoverability and user trust (PD, ¶6.92(c)). The statements from industry are consistent with the real-world evidence on the file of multiple, genuine developer-focused innovations that Play has implemented on security, trust, discoverability, delivery, and app development tools.

66. The PD unconvincingly seeks to dismiss this evidence because under half of developers that the CMA surveyed in its self-selecting sample (24 developers out of c. 850K developers in the UK providing apps through Play, identified by the PD, fn. 5) raised some concerns, apparently around app discoverability, Play's terms, and Play's use of data. The PD omits that, on these topics, the CMA already found that developers' concerns related to issues that concern Apple, not Google.[66]

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63 CMA, MEMS, Final Report, 2022, ¶4.155.

64 [✂]

65 *See*, for example, Growing Pro Technologies, Why Startups Should Prioritize iPhone App Development, 14 April 2025; and Enterprise Monkey, Advantages of Application Development for Your Business, 2 February 2024.

66 CMA, MEMS, Final Report, 2022, ¶¶6.53, 6.108 and 6.92.

67. **Fifth, the PD dismisses clear evidence in Google's internal documents that Play competes with the App Store**. The PD claims that there is "*no evidence in Google's internal documents that it is under pressure from the App Store to innovate and improve its offerings for the benefits of app developers overall*" (PD, ¶6.92(b)). But the PD at the same time finds that Google's documents show that it monitors the App Store "*in relation to quality of services and features offered to app developers*", and Google does so to find ways to "*improv*[e] *the Play Store's position*" against Apple's App Store (PD, ¶6.92(a)). Indeed, [✂].[67] The PD is internally contradictory and its claim that the documents do not show competition is untethered from the evidence.

2. Play competes fiercely with app stores on non-mobile devices

68. The PD dismisses the competitive constraint on Play from PCs and consoles, asserting that they are viewed as "*complementary,* [...] *rather than a viable substitute*" to Play (PD, ¶7.56). The PD's analysis is unsound:

69. **The PD relies on superficial observations about functionality that are not reflected in real-world developments**. The PD refers to comments from four developers on differences in functionality between mobile and other gaming devices (PD, ¶7.56(a)). But gaming is converging between mobile and console gaming in the form of hybrid consoles.[68] Hybrid consoles like the Nintendo Switch, the second most successful gaming console of all time,[69] Steam Deck, and the highly anticipated release of Xbox's handheld console,[70] alongside the proliferation of cloud gaming services, means gaming consoles compete with mobile devices for users playing-on-the-go.[71] For example, Google Play Pass is a direct response to established cross-platform subscription services like Microsoft's Xbox Game Pass.

70. **The PD fails to account for the commercial impact of cross-progression play, where users make in-app purchases on PCs and consoles and use those items in their Play-supported apps.** The PD focuses on submissions from "*a few developers*" that "*certain games*" work better on mobile *versus* PC or gaming consoles (PD, ¶7.56(b)). But the most popular and commercially significant games[72] (*e.g.*, Fortnite, Genshin Impact, Call of Duty, Rocket League, Destiny 2, Honkai

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67 For example, one document cited by the PD at fn. 310 records that [✂].

68 As reported by industry commentators. *See,* for example, Games Industry Biz, Handheld consoles are the industry's next battleground, 29 November 2024; Next Upgrade Shop, Top 3 Reasons the Future of Consoles is Handheld, 26 July 2025; and The Verge, Handheld gaming is the future - again, 6 November 2023.

69 Statista, From Switch to Switch 2: The Cycles of Nintendo's Success, 5 June 2025: with more than 150 million units sold.

70 ROG Xbox Ally, *e.g.,* BBC, Xbox handheld console finally revealed after a decade of speculation, 6 June 2025.

71 *See* [✂].

72 In fact, of the top 20 highest-revenue games on Play, 19 are cross-progression, meaning the player uses a single account to make purchases and access those items, along with all their game progress, and 8 are cross-platform, meaning the players on different platforms can play with each other in the same game.

Star Rail, and Zenless Zone) are cross-progression, where users can make in-game purchases using a single account on a PC or console, and use those in the same game on their Android phone, with the developer avoiding Play fees altogether.[73] In other words, with a cross-progression game, consoles and PCs are, literally, direct substitutes to Play for users and developers.

71. **PC and gaming platforms attract the most sophisticated, high-end games, where competition is most fierce.** The PD claims that the focus of game consoles on "*high-end games that require considerable investment*", some of which are less compatible on mobile, suggests the two are not substitutes (PD, ¶7.56(e)). This shows the strength of the competition faced by Play from off-mobile gaming: consoles and PCs are viable alternatives for the most high-value users because those are the ones that tend to play high-end games.[74] Play's internal documents demonstrate [✂].[75]

72. **Play's share when including PCs and consoles is well below any suggestion of SEMP.** Play's share of revenue in digital content transactions on mobile and transactions for digital gaming content on PCs and consoles was just [✂] in the UK in 2022.[76] [✂].

3. The PD wrongly dismisses the evidence that Play's fees have reduced by 20% since 2020

73. The competition that Play faces from app stores (including Apple's App Store), PC, and consoles has led to Play reducing its fees over time.

74. The PD accepts that Play's service fees have reduced over time (PD, ¶6.95).[77] Not only has Play's average service fee rate decreased (PD, ¶6.95(b)), but so too has the proportion of developers that pay higher rates (PD, ¶6.95(c)). And of the small handful of developers that pay Play any fee, the PD finds that [✂] pay a rate of 15% or less (PD, ¶6.95(d)).

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73 As Epic describes, cross-platform gaming "*bridg*[es] *the PC-console divide*", calling out its most popular titles as cross-platform games: Fortnite, Rocket Leagues, Destiny 2, Warframe, Genshin Impact, Honkai, Zenless Zone Zero. *See* Epic Games, Cross-platform and crossplay gaming: Bridging the PC-console divide, 14 July 2025.

74 *See* [✂]. This is corroborated by third-party reports: *"players who immerse themselves in all three* [platforms (PC, mobile, console)] *spent significantly more time and money on video games and related purchases*" (Newzoo, PC & Console Gaming Report, 8 April 2025). [✂].

75 *See,* for example, [✂].

76 Analysis based on a combination of information from UKIE (2023), UK Consumer Games Market Valuation 2022—how much money did people in the UK spend on video games?, 3 April 2023; and Data.ai (formerly known as App Annie) UK data. Note that this is likely to *overstate* Play's share, since the analysis does not take into account transactions for *non-gaming* digital content on PCs and consoles.

77 The PD's own analysis shows that "*over the period from 2020 to 2024, the proportion of app developers which pay reduced rates has increased whereas the proportion of app developers which primarily pay headline rates has decreased*" (PD, ¶6.95(c)).

75. The PD, however, dismisses these reductions as "*not* [...] *reflective of strong competition on price*" with Apple's App Store and other distribution channels (PD, ¶6.96). No evidence or reasoning supports this finding, which goes against common sense. If Play held market power or its market power was *increasing* over time, it would seek to *raise* prices; not *lower* them.

76. **The PD provides no basis for overlooking Google's 20% reduction in its service fee as evidence of a competitive response to Apple.** Play's average fees have considerably reduced over time, from [✂] in 2020 to [✂] in 2024, corresponding to an almost 20% price reduction over a period where there is no dispute that Play's quality and value increased (PD, ¶6.90), output for UK developers expanded substantially,[78] Play's market share fell to c. 25% (PD, ¶6.101), and the app developer community in the UK thrived (PD, ¶1.9). And Play's reduction in its fee rate to 15% in response to a similar announcement by Apple demonstrates that changes to Google's fees are motivated by competition (PD, ¶6.95(a)). The PD wrongly asserts that average fees only reduced from [✂] to [✂] over the same period (PD, ¶6.95(b)).[79] This is a significant error: the figures the PD refers to incorrectly omit [✂] and so substantially overstate the average service fee.[80]

77. **The PD distorts the third-party evidence**. The PD asserts that "*20 out of 55 app developers submitted that existing commission rates are too high*", but the majority of 32 "*did not explicitly comment on the level of commission rates*" (PD, ¶6.96(c)). Of those 32, 11 said fees impacted their business but did not say they were too high, 3 indicated fees were not impactful, and 9 developers said fees were not relevant to their business (PD, fn. 330). This is in addition to 3 developers that stated that the rates were fair. In other words, only a small handful of developers expressed any concern over fees. The PD's assertion to the contrary is plainly wrong.

78. A broader and more representative sample of developer views can be gleaned based on the MTM survey of 201 UK app developers from June 2025.[81] The findings of that survey show that app developers consider Play's fees appropriate for the value provided.[82] 78% of UK developers consider that Play provides value equal to the investment developers make in the platform.[83] 84% agreed or strongly agreed that Play provides value across the entire user lifecycle, and 83%

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78 Play has seen substantial increases in app downloads on smartphones and tablets over time as well as increasing transaction counts / sales volumes: UK spend [✂] from [✂] in 2019 to [✂] in 2024.

79 The PD also incorrectly assumes that the increase in the proportion of developers paying reduced fees could be driven by more app developers offering paid transactions (PD, ¶6.95). This is wrong: the *number* of developers that pay service fees has remained broadly constant. [✂].

80 Google's [✂].

81 MTM, UK developer attitudes towards app stores, June 2025 of 201 UK app developers, who were "*multi-platform and diverse in their monetisation methods*" and spanned a broad range of company types, sizes, and user bases (pp. 5-6).

82 *Ibid,* p. 47.

83 *Ibid,* p. 44.

that Play's resources help maximise the value of their apps.[84] This is consistent with UK developers' high levels of satisfaction with Play, with 89% "satisfied" or "very satisfied".[85]

79. **The PD wrongly rejects the relevance of appropriate comparators to Play's commission fee.** The PD recognises that "*in principle benchmarks can be useful to assess whether the fees charged by the Play Store are reflective of competitive prices*" (PD, ¶6.98). But it dismisses or ignores evidence from relevant benchmarks for reasons that are incoherent.

80. First, Google has provided evidence showing that Play's fees are in line with or below relevant competitive benchmarks, including: (i) fees charged by other app stores, which often charge headline fees of 30% (*e.g.,* the Apple App Store, Microsoft Store, and Huawei AppGallery); (ii) fees charged by console stores such as the Nintendo Switch and Sony PlayStation, which charge 30% commission; (iii) fees on other platforms offering digital content, such as Prime Video, Audible, and Spotify, which are higher than Play's service fees;[86] and (iv) fees charged by app stores in China, where Play is not present, which typically exceed 50%.[87]

81. The PD seeks to evade that evidence by asserting that the CMA failed to assess "*whether the fees charged by other app stores in the UK are set at competitive levels such that they could act as appropriate comparators*" (PD, ¶6.98(a)). The PD does not explain *why* it has declined to consider these benchmarks or assess their suitability as comparators to Play. The PD also misunderstands how a benchmark exercise works. The point of benchmarking is to identify comparable services that lack market power.[88] If such a service exists, the price that it charges is a relevant benchmark for fees unencumbered by a monopoly premium. The exercise is not to start with the "*fees charged by other app stores*" and ask whether they appear competitive. If this is what the PD is suggesting, it has the benchmarking exercise backwards.

82. The PD rejects non-mobile platforms and stores as comparators because they "*are materially different from Mobile Platforms*" (PD, ¶6.98(b)). But it provides no explanation of which differences it has in mind or why those differences preclude non-mobile stores from serving as appropriate comparators. On the contrary, they have important similarities. For example, games console stores offer many of the same games as are available on Play; [✂]; and [✂]. Indeed, it is

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84 *Ibid,* pp. 45-46.

85 *Ibid,* p. 43.

86 *See, e.g.,* Deloitte, Fees applied by distribution platforms to transactions by developers and content providers, 14 September 2023.

87 *See, e.g.,* Analysis Group, Apple's App Store and Other Digital Marketplaces, 22 July 2020.

88 *See* UK High Court, *Unwired Planet v Huawei*, 2017 (confirmed in UK Supreme Court, *Unwired Planet v Huawei*, 2020). *See also,* EU Commission, Case T-167/08, *Microsoft*, 2012; EU Commission, Case C-395/87, *Tournier*, 1989; EU Commission, Cases C-110/88, C-241/88 and C-242/88, *Lucazeau and Others v SACEM and Others*, 1989; and EU Commission, Case C-177/16, *Latvian Copyright*, 2017.

axiomatic that comparators in unfair pricing assessments can be—and often are—different products operating in different markets.[89]

83. Second, Google has provided evidence showing that Play's fees are below *ex ante* benchmarks. In particular, Play's service fees at present are *lower* than Play's service fees in 2008 when it first launched (at a time when it could not—on any view—have held market power), while Play's value and quality has increased. It is well-established that the prices charged prior to any allegation of monopoly represent a suitable benchmark for fair and reasonable prices.[90] The PD completely ignores this relevant benchmark.

C. The fact that Android is licensed for free and open-source to OEMs enhances the competition Android faces

84. The PD provisionally finds that "*Google faces extremely limited constraint from the threat of OEMs switching to license a different Mobile Platform*" (PD, ¶6.9). It also suggests that there are high entry barriers to supplying a mobile OS because: (i) options for licensing are limited; and (ii) developing and maintaining a new OS requires significant time and financial resources (PD, ¶6.124). These claims are misguided:

85. **The competition that Google faces at the user and developer level constrains Google's behaviour *vis-a-vis* OEMs.** If Google did not innovate and improve the Android OS, the quality of the mobile devices on which Android OS is installed would suffer.[91] In that scenario, the quality of the Android mobile platform would decline and the already substantial number of users switching away from Android OEMs to Apple would increase. This effect constrains Google's behaviour when it comes to licensing the Android OS.

86. **Android's free and open-source licensing model promotes, rather than diminishes, inter-platform competition and gives OEMs considerable freedom in how they customise their devices.** The PD alleges that Google only licences the Android OS to OEMs "*conditional on those mobile devices meeting Google's compatibility criteria*" which limits mobile devices' ability to "*differentiate their offering and thereby compete with existing providers of Mobile Platforms*" (PD, ¶6.124). This is factually incorrect. The Android OS is available to licence open-source and for free, anyone can take the Android OS code and create their own OSs without complying with any requirements from Google (*i.e.,* Android forks). OEMs only need to meet the requirements in the Android Compatibility Definition Document (**CDD**) if they want to use the Android brand. The possibility of Android forks allows alternative OSs to enter the market more easily and enhances inter-platform competition. Examples include Amazon's Fire OS, LineageOS, and versions of Huawei's Harmony OS.

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89 *See, e.g.,* UK Supreme Court, *Pfizer and Flynn v CMA*, 2020, ¶105: "*Price-based benchmarks are used by comparing the investigated price with prices charged by the dominant firm in different markets or over time or by comparing the prices charged by the dominant firm and those charged by other firms, either in the same market or in other markets*" (emphasis added).

90 *See, e.g.,* JRC Science for Policy Report, Licensing Terms of Standard Essential Patents, 2017, Section 3.2.1.1.

91 The PD emphasises the importance of the quality of mobile OS (*e.g.,* features, functionalities, performance) for the quality of the overall device (PD, ¶6.16(b)).

87. If an OEM chooses to use the Android brand, the CDD only enumerates very basic technical and compatibility requirements (*e.g.*, the device must have at least one display, include a microphone and audio output, have a minimum screen size, and implement basic security features). Beyond these requirements, OEMs can and do modify the Android OS as they see fit—innovating on top of the baseline Android provides, adding new features, and differentiating themselves from each other.[92] This approach ensures a minimum baseline compatibility to aid developers and provides OEMs with considerable creative and technical freedom and control over the implementation of the Android OS on their devices, thereby allowing them to better compete with each other, Apple, and devices running other OSs.

88. **Android's open-source licensing facilitates time and cost savings for alternative OS providers, lowering entry barriers.** This is because alternative OS providers can take the AOSP codebase rather than developing an OS from scratch. The PD recognises this, but erroneously concludes that developing a new OS would require significant resources, relying solely on unsubstantiated evidence from Amazon (PD, ¶6.124, "*Amazon noted that its Android fork operating system has required substantial investment*"). The PD does not provide any reasoning or evidence to demonstrate why the unsubstantiated Amazon example outweighs or negates the clear and inherent cost-saving benefits from Android's open-source nature, nor does it provide any other evidence supporting this conclusion.

89. **No indicia suggest any degradation in quality or increase in price when it comes to Google licensing the Android OS to OEMs.** Competition can materialise as increases in quality or decreases in price. Android has increased its quality over time, for the benefit of users, developers, and OEMs (**Section II.A.5**, *above,* and **Confidential Annex III**). At the same time, Google has always provided the Android OS to OEMs for free. There can therefore be no dispute that OEMs suffer from an adverse price or quality effect arising from a lack of competitive constraint on Android.

[92] For example, Samsung differentiates its devices with the One UI, known for its polished design and extensive feature set; Sony builds its own launcher that focuses on a clean, elegant design that complements its multimedia and camera strength; and Motorola provides quick access to gaming modes (*i.e.*, Moto Gametime) that optimise performance and block distractions during gameplay.

III. Play, Chrome, and Blink are additionally constrained by intra-platform competition

90. The evidence and market outcomes set out above confirm that inter-platform competition with iOS is strong and that Google lacks SEMP. Because of this inter-platform competition, neither the Android platform nor Play, Chrome, and Blink can have SEMP.

91. Each of Play, Chrome, and Blink are additionally constrained by intra-platform competition. Unlike Apple on iOS, Android is an open ecosystem that provides developers with multiple channels to compete with Google's own apps. This provides a second layer of competition that these components face, on top of inter-platform competition, and means they are more constrained than components on closed platforms, such as Apple's.

A. Play faces intra-platform competition for developers and users

92. Android provides developers with multiple channels for app distribution, including Play, third-party app stores, preinstallation, sideloading, and/or progressive web apps (**PWAs**), unlike iOS. Competitive pressure from alternatives drives continued investment and innovation in Play.

93. The PD claims that material barriers to entry for third-party app stores on Android "*limit their competitive constraint*" (PD, ¶¶7.12 and 7.21). This overlooks the commercial reality and misinterprets necessary protections that benefit users and developers:

a. **Third-party app stores (including OEM stores) are preinstalled on Android devices**. Google's agreements with OEMs to preinstall Play are device-by-device, non-exclusive, and have moderate placement requirements. By their nature, they do not prevent in any way the preinstallation of third-party app stores.[93] Accordingly, app store developers can and do agree deals with Android OEMs or carriers: notably, Epic has entered into a partnership with Telefónica to preload the Epic Games Store, including on 23 million users' O2 devices in the UK.[94] Likewise, Samsung preinstalls the Samsung Galaxy Store on its devices and places it prominently on the home screen.[95] As a result, two-thirds of Android devices have multiple app stores preinstalled. Rather than assess the evidence and market facts, the PD repeats a claim from a single app store provider that "*in the*

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[93] The PD regurgitates a claim from an OEM that the Android Compatibility Commitment (**ACC**) prevents OEMs from preinstalling third-party app stores (PD, ¶7.21(d)). Regrettably, the PD did not seek to verify this statement. If it had, it would realise that the ACC in no way prevents the preinstallation of third-party app stores. To the contrary, the CDD in fact facilitates the installation of alternative app stores by ensuring that standard Android apps distributed on alternative app stores will work on the device. Section 4 of the CDD reads "*Devices implementations* [...] *MUST be capable of installing and running Android ".apk" files*." Google already explained this to the CMA but the explanation seems to have been ignored, *see* Google's [✂].

[94] *See* Telefónica, Telefónica and Epic Games bring Fortnite and the EGS to Telefónica devices, 12 December 2024.

[95] In addition, on 20 August 2025, Samsung announced the launch of its mobile cloud gaming platform in Europe, beginning with a beta rollout in the UK and Germany. This is further evidence of the intensifying competition Play faces, particularly in respect of the high-value gaming category which accounts for [✂] user spend on Play.

past" it failed to win preinstallation deals (PD, ¶¶7.21(a)). But [redacted observation based on confidentiality ring material about this app store, *see* Confidential Annex IV].

b. **Play's decision not to cooperate with horizontal rivals by carrying them is procompetitive and in the interests of user safety.** The PD speculates that Play's policy not to cooperate with its horizontal rivals by carrying them or allowing them to be promoted in Play-distributed apps hinders competition from these rivals (PD, ¶7.17). First, it is commonplace and procompetitive for a company not to carry its horizontal marketplace competitors: for example, it is not a barrier to Tesco competing that Tesco is not carried within Sainsbury's. Second, the policy at issue is an important user and developer safeguard to prevent malicious actors from circumventing Play's security review and expose users to severe security risks including malware, fraud, and horrific and illicit content, as Google explained.[96] The PD never mentions these justifications, let alone assesses them on the merits.

c. **The PD bases concerns regarding access to functionality for third-party app stores on faulty and limited evidence.** The PD's claim that Google is "*using its control*" of Android to "*restrict access to certain functionality*" (PD, ¶7.23) relies on inaccurate submissions from a competitor and two developers. In reality, Android places no restrictions on alternative app stores offering "*anti-cheat*" features similar to Play Integrity. The claim that "*Google would be able to withhold* [...] *access*" to updates for APIs linked to Google Mobile Services is pure speculation. Google does not restrict such access (PD, ¶¶7.23(a) and (b)).

94. In reality, Play faces competition from third-party app stores and alternative app distribution on Android. The PD's assessment that these impose only a "*weak*" (PD, ¶7.60) competitive constraint is wrong for the following reasons:

95. First, the PD overlooks the results of the Consumer Survey that show awareness of alternative distribution channels on Android. 91% of Android respondents had used or were aware of at least one other channel (with 57% having used an alternative content distribution channel). Specifically, 34% of respondents had used alternative app stores, 26% had sideloaded previously, and 27% had installed a web app.[97]

96. Second, strong competition in Android app stores has resulted in diverse value propositions and business models. On Android, app stores compete based on their individual offering. For example, F-Droid focuses on open-source software, and TapTap on gaming. Play competes by aiming to be the safest, most-trusted app store in Android's open ecosystem. This is a

[96] [✂].

[97] Consumer Survey, p. 68 and data tables.

differentiator that resonates: the majority of developers believe Play's approach to user (81%) and developer (77%) safety and security "*is better compared to other Android app stores*".[98]

97. More than [✂] of users state that Play's safety and security influences their decision to use Play apps.[99] The PD accepts there is "*some evidence*" of Google monitoring alternative app stores (PD, ¶7.10). In reality, Play is constantly working to create the best possible experience on Android, and deliver value in line with user and developer expectations. Developers are highly satisfied with Play and feel their investment is "*well-rewarded.*"[100]

98. Third, sideloading provides a viable alternative distribution method. The PD incorrectly dismisses sideloading as a mere "*complement*" to Play (PD, ¶7.25). On Android, sideloading functions both as a complement and a substitute, enabling developers to bypass app stores entirely. The PD overlooks internal documents that show close monitoring of developers' direct-to-consumer (**D2C**) strategies, a strategy used to distribute [✂].[101] And contrary to the PD, Android's sideloading flow does not add "*significant friction to the user experience*" (PD, ¶7.25). It comprises a single, mandatory warning—the unknown source warning—that is designed to be straightforward while informing users of potential security risks. Other warnings that may be shown are at the discretion of the OEM/browser. The unknown source warning is a necessary safeguard in an open ecosystem, where internet-sideloaded apps contain 50x more malware than on Play.[102] Increasing the baseline of security on Android in fact supports alternative distribution because users have more confidence to transact in a safe environment.

99. Fourth, PWAs are an effective and growing content distribution channel. Leading brands, *e.g.*, Microsoft's Xbox Cloud Gaming and NVIDIA's GeForce NOW use PWAs to offer a seamless, native-like experience directly to users. This distribution channel—which the PD accepts is attractive to developers due to low costs (PD, ¶7.44)—is fully viable and growing on Android. The PD recognises that the impediment to even wider adoption is Apple's WebKit restriction, for which Google is not responsible (PD, ¶7.44).

B. Chrome and Blink face intra-platform competition for developers and users

100. The PD's finding that Chrome and Blink face limited competitive constraints within "*Google's Mobile Platform*" is based on misconceptions about the open-source nature of Blink, and the options users have to download and use alternative browsers. The evidence shows Chrome faces strong competition and Blink has increased competition, not reduced it.

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98 MTM, UK developer attitudes towards app stores, June 2025. 90% of developers say an app store's approach to user safety and security (*e.g.,* protecting user data, removal of malware) is important to them, and 88% said an app store's approach to their safety and security needs as a developer (*e.g.,* protection of IP, prevention of piracy) is important to them.

99 Global survey of 3,500 Android users, conducted on Google's behalf by [✂].

100 MTM, UK developer attitudes towards app stores, June 2025.

101 [✂].

102 *See* Android Developers Blog, Strengthening Our App Ecosystem: Enhanced Tools for Secure & Efficient Development, 25 March 2025.

a. **Blink is open-source**. Many rival browsers, such as Edge, Brave, and Samsung Internet, are built on top of Blink, which Google makes available for free. Browser developers are free to modify or 'fork' Blink on Android, and introduce or remove their own functionality if they wish to do so.[103] They can also use another browser engine, as Mozilla's Firefox does with Gecko. The PD finds that Blink's "*only significant alternatives are Mozilla's Gecko* [...] *and Meta's in-app browsing engine*" (PD, ¶7.128). But this misunderstands the competitive dynamics among browser engines: Chrome's version of Blink is constrained not only by alternative browser engines but also by other versions of Blink that power rival browsers. On Android, where browser engine choice is possible, third parties are entirely free to innovate above Blink's performance 'baseline' or to use another browser engine.[104]

b. **Google is a committed and responsible steward of Blink**. The PD's claim that "[t]*he large number of mobile browsers which use Blink gives Google significant ability to set the direction of web development*" is misplaced (PD, ¶7.128). It is true that Google is constantly developing Blink in an effort to deliver the most functional browser engine possible. But all changes to Blink's APIs are designed and implemented publicly, and browser developers are free to use, modify, and innovate on top of them. The CMA has acknowledged Google's role as a "*committed and responsible steward*" of Blink.[105] That is reflected in how third parties interact with Blink: Microsoft, for example, launched a Storage Access API in Blink to enable Edge to support this feature even though Chrome currently does not support it. The evidence therefore does not support the PD's claim that "[l]*ight-forks of Blink are limited in the extent to which they differentiate from Blink*" (PD, ¶7.87(b)).

c. **The free availability of Chromium and Blink lowers barriers to entry and expansion**.[106] The CMA has recognised that Chromium is a "*common starting point for most browsers on Android*."[107] Blink/Chromium have fostered browser competition on "*Google's Mobile Platform*": there are now 34 browsers developed based on Google's open-source Chromium browser or the Blink browser engine. New UK-based browsers, like Chatloop and Wavebox have used Google's open-source tools, entered the market, and compete on innovative social and productivity features. The evidence therefore contradicts the PD's claim that rival browsers "*are limited by several barriers to entry and expansion*" (PD, ¶7.127). The PD is also internally inconsistent because it finds that

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103 This choice enables browser developers on Android to differentiate themselves based on security, privacy, and performance, and introduce new innovations to their browsers.

104 In addition to Gecko, Blink, and the various forks of Blink, there are active efforts to build and maintain WebKit on Android. *See* Jani's Blog, Bringing WebKit back to Android: Progress and Perspectives.

105 CMA, MBCG MI, CMA Board Advisory Steer, 22 November 2022, ¶11.

106 Blink is the browser engine Google developed as part of its open-source Chromium project. Chromium is an off-the-shelf open-source browser that any developer in the world can use for free, with as much or as little modification as they want.

107 *See* CMA, MBCG MI, Final Decision Report, 2025, ¶2.12.

"[u]*sing an existing open-source browser engine eg Blink, WebKit, or Gecko, provides a relatively low-cost entry route for new mobile browser entrants*" (PD, ¶6.128(b)). Recent entry and expansion of well-funded players confirms that this is a readily contestable sector which means Google's position is not entrenched.[108]

d. **Users are aware and confident in switching browsers on Android.** The CMA-commissioned research in MBCG MI shows that 85% of users are confident in their ability to download a new browser and 77% of users were confident that they could change their default browser.[109] Google's UK choice screen, which has been shown to approximately [✂] devices in the UK since 2019, prompts users to make an active choice about which browser they want to use. It also gives third-party browsers an additional promotional opportunity. Third-party browsers have been downloaded [✂] times since 2017. And Android users regularly use 23 different browsers.

e. **The majority of Android devices in the UK have a non-Chrome browser set as default and prominently placed**. Chrome is set as default on a minority of Android devices [✂], and 70% of devices come with two or more browsers pre-installed. Google's agreements with OEMs allow the licensing of Play and other EMADA apps without having to preload Chrome at all. If OEMs choose to preload Chrome, they are not required to give it any kind of special placement or default status. And even if OEMs decide to take the Chrome Placement Agreement, they only need to place Chrome in a Google folder—effectively one tap away from the default home screen where third-party browsers could be preinstalled.

f. **Google has continually invested to improve Chrome, dedicating** [✂] **million in R&D for Chrome each year**. Persistent innovation is consistent with Chrome facing material competitive pressure. Chrome launched 80 new features between January 2020 and July 2024. In the same period, Brave launched 30 new features, Edge 32 new features, and Samsung Internet 21 new features. Mozilla launched 23 features in the first half of 2024 alone.

g. **Browsers compete on a cross-platform basis, including Android and iOS devices, but also on desktop**. Like most browser vendors, Google develops and markets Chrome as a web browser, rather than distinguishing it between "mobile" and "desktop". The CMA has previously found that "[a]*lmost all browser vendors develop both desktop and mobile browsers*" and "*the primary motivation for providing a browser on both desktops and mobile devices is to provide a cross-platform experience.*"[110] As far as practicable, Chrome features and innovations are rolled out on all platforms. On the supply side, major browsers have shared codebases across mobile and desktop (with

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108 Reuters, OpenAI considers taking on Google with browser, 21 November 2024.

109 Verian, Mobile Browsers Consumer Research for the CMA, August 2024, p. 9.

110 CMA, MBCG MI, Final Decision Report, 2025, ¶2.30.

the exception of iOS).[111] The CMA's research supports this conclusion, finding that 39% of those users who indicated a browser preference did so because they had been using that preferred browser on other devices.[112]

h. **AI, Web3, and quantum computing technologies threaten to rewire how browsers work**. Opera and Brave have already started integrating Web3, building blockchain technology directly into the browser. OpenAI and Perplexity have announced AI-based browsers which may fundamentally change how browsers are used (*e.g.*, 'agentic' browsers would drastically reduce direct user interaction). Microsoft has declared that, by 2030 (*i.e.*, during the proposed designation period), conversational AIs will fundamentally change how users interact with browsers. The PD fails to engage with this evidence, which is at odds with the notion Chrome holds "*entrenched*" market power.

i. **Browsers compete with other apps for mobile users' attention**. The CMA's research found that 92% of user time is now spent on *non-browser* apps.[113] The PD recognises that "*in-app browsing is widely used, and this takes web traffic away from dedicated mobile browsers*" (PD, ¶7.119(b)). This trend is likely to increase over the next 5 years, as younger users prefer using apps to websites.[114] Browser vendors will therefore need to find new ways to attract users from other apps, not just from other browsers. Browsers are in a battle to stay relevant.

101. In sum, neither Chrome nor Blink have SEMP. Browser developers on Android retain a high level of control, flexibility, and autonomy. They can choose whatever browser engine they like. Blink/Chromium provides them with all the necessary tools to enter the market. Many browser developers then build on top of Blink/Chromium, and introduce their own APIs and functionality.

IV. Scope of digital activity

A. The PD's position on grouping the digital activity misapplies the legal test

102. The CMA may only group activities together where they have substantially the same or similar purposes (DMCCA, s.3(3)(a)) or where the activities can be carried out in combination with each other to fulfil a specific purpose (DMCCA, s.3(3)(b)). The PD claims that Google's operations in mobile OSs (*i.e.,* Android), native app distribution (*i.e.,* Play) and mobile browsers/browser engines (*i.e.,* Chrome and Blink) satisfy both these bases for grouped designation. Its conclusion and reasoning are wrong.

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111 *See* CMA, MBCG MI, Final Decision Report, 2025, ¶3.61.

112 *See* Verian, Mobile Browsers Quantitative Consumer Research, 30 May 2024, p. 53.

113 *See* Statista, Distribution of time spent worldwide using mobile browsers and apps in 2022.

114 *See* Verian, Mobile Browsers Consumer Research for the CMA, August 2024, p. 22.

103. A core error that runs through the PD's analysis is its characterisation of native app ecosystems (Play, running on Android) and web ecosystems (Chrome, running on Blink) as forming part of a single grouped activity. The PD's assertion that both ecosystems facilitate "*interactions between users and providers of digital content and services on Android mobile devices*" is excessively expansive and overlooks fundamental differences between them.

104. Web and app ecosystems are different. Web browsers incorporate international standards that limit the influence that an individual browser provider can have over users' ability to access–and website developers' ability to publish–content online. Regardless of whether a user is accessing the web from a browser on Android, iOS, Windows or any other platform, the same websites are available, irrespective of whether the 'steward' or 'operator' of the Android, iOS, Windows, or other platform views a particular website positively or negatively. Indeed, a core perceived advantage of web development is that a website can be written once and become immediately available to users across different browsers on different devices.

105. In contrast, native app developers have to write their apps for each platform individually (using the different applicable programming languages for Android and iOS); they need to apply for admission to each individual app store where they hope to be distributed; their apps undergo review for compliance with each app store's policies, which may vary from one app store to the next; and they are available in an app store only once (and for so long as) their app is approved.

106. These differences are borne out by the Final Report in the MBCG MI, which found (without prejudice to Google's views on whether that finding was correct) that websites/web apps and native apps are not substitutable, are accessed in different ways (*i.e.,* via a browser or an app store), offer different content and functionality, and undergo different development processes with web developers only having to "build once" for their site to be available across all ecosystems. The CMA concluded that mobile browsers and app stores "*are technically different products and* ***are regarded as serving different purposes*** *within their broader ecosystem*" (emphasis added).[115] It found that mobile browsers and app stores operate under different competitive dynamics, defining a product market specifically for mobile browsers on Android.[116] And the CMA explicitly rejected the claim that—because a website/web app and a native app may offer the same content—they could be viewed together or as serving the same purpose.[117] These findings are irreconcilable with PD's approach to grouping together native app distribution and mobile browsers in the present case.

107. The fact that the same or similar content may be available both via a native app and a website on mobile does not obscure the different dynamics of browsers/browser engines and app stores. Treating them as a single grouped digital activity lacks any rational basis. It also leads to the following errors in the PD's assessment.

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115 CMA, MBCG MI, Final Decision Report, 2025, ¶¶3.69-3.74.

116 *See* CMA, MBCG MI, Final Decision Report, 2025, ¶3.122(d).

117 *See* CMA, MBCG MI, Final Decision Report, 2025, ¶¶3.72 and 3.76.

108. **First, the products at issue do not have substantially the same or similar purpose.** The PD offers only a brief 'in the alternative' claim that DMCCA s.3(3)(a) is satisfied, arguing that "[e]*ach of these activities has the purpose of facilitating interactions between users and providers of digital content and services on Android mobile devices*" (PD, ¶4.60(b)). That is incorrect.

a. While an app store might fairly be described as a venue for users to interact with content providers, an OS clearly does not; rather its purpose is to power the device.[118] Likewise, a browser engine provides backend infrastructure that allows a browser to work–it is not a store or a marketplace where users can obtain content from developers.

b. The Explanatory Notes to the DMCCA (¶103, first bullet) give the example of a social media company offering multiple consumer-facing ad-funded services that use different brands but perform the same function. That is very different to—for example—Play and Blink, whose functions could scarcely be more different.

c. Browsers and app stores do not have substantially the same or similar purposes. Browsers enable users to access the open web where developers can publish websites that are immediately accessible across browsers and devices, whereas app stores enable users to download native apps that are platform-specific and have been reviewed and admitted to the store in question. The CMA in the MBCG MI reached the same conclusion.

109. **Second, the full suite of products at issue cannot be used together to fulfil a specific purpose.** The PD claims that Android, Play, Chrome and Blink can be used together for the purpose of *"facilitating interactions between users and providers of digital content and services (as applicable) on Android mobile devices in order to allow users to access, view and engage with such content and services on their mobile devices*" (PD, ¶4.60). This approach is fundamentally flawed.

a. In determining what 'specific purpose' the grouped products collectively serve, the DMCCA does not suggest that it intends to deviate from the ordinary, common-sense understanding of what a product's 'purpose' is. In other words, the collective 'purpose' of the grouped products/activities should be comprehensible and actually reflect the work that the products perform. The Explanatory Notes to the DMCCA (¶103, second bullet) explain that DMCCA s.3(3)(b) has in mind "*services and products that are part of the same supply chain*", an example being "*services selling advertisements and the provision of an advertising platform*". The PD's proposed grouping of the four products at issue does not cohere with this explanation.

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[118] Even Android's role in providing a user interface for the device is very limited. Instead, an OEM's launcher (or an independent launcher) controls the UI of a device. For example, the launcher controls: the placement of apps on the home screen, the ability to move around apps, the positioning of apps when they are downloaded, the functionality to lock and unlock the home screen, and gestures such as swiping to switch between screens. The launcher is not part of the Android OS–it is a separate software component that OEMs (not Google) build. Users can download and use third-party launcher apps, including by easily switching their default launcher app via the Default apps menu in Settings.

b. As explained above, providing a native app store (that runs on a mobile OS) serves a fundamentally different purpose to providing a mobile browser (that runs on a browser engine). Whereas Play's purpose is to let users download native apps on Android devices and support those apps over their lifecycle, Chrome's purpose is to let users access websites from any device where Chrome is available (and Blink's purpose is to ensure that browsers such as Chrome work properly).

c. Accordingly, the ordinary, common-sense 'purpose' of Play is to let users download apps on Android devices. The ordinary, common-sense 'purpose' of Chrome is to let users browse the web. Resorting to the abstract notion of "*facilitating interactions*" defies what ordinary users or developers would describe as the purpose of Chrome or Play.

d. Moreover, as a technical matter, it is incorrect to state that the four products (or 'activities') can be deployed together. Running a browser engine cannot be performed together with a mobile OS or app store; they cannot be technically integrated or used together as part of a single combined product. They perform different tasks. Likewise, consumers use app stores and browsers separately from each other—not together—depending on whether they want to install native apps via the store or visit websites.

e. Finally, contrary to the PD's claims, Google does not offer the four products at issue as part of a *"complementary package of services"* (PD, ¶4.54). They are supplied under different agreements to different end users and businesses. Android is offered to OEMs under an open-source licence. Play is offered to OEMs under the EMADA. Chrome is offered to OEMs under its own distinct licence agreement, as well as being offered separately to users for download. Blink is supplied to browser developers on an open-source basis. Insofar as OEMs or users procure a situation where all four components are present on a single device, that is a matter of OEM or user choice rather than Google offering these products as part of a single suite.

110. **Third, the PD errs in failing to assess the SEMP in respect of the relevant digital activities.** The SEMP condition is an essential gateway for the CMA to designate firms and obtain wide-ranging powers of intervention. It plays a central role in the DMCCA by distinguishing those activities on which the CMA can impose CRs from those on which it cannot. Accordingly, neither 'grouping' nor any other analytical devices can be used to circumvent the need for the CMA to establish SEMP, thereby regulating, by the backdoor, products or services where the firm at issue lacks SEMP.[119] In this case, SEMP cannot be sensibly assessed for the "*Google Mobile Platform"* as a whole, distinct from its individual components. The "*Google Mobile Platform*" is a definition—nothing more—that the PD deploys for analytical expediency. It is not an identifiable product or activity in its own right. And the products and services that it comprises are used and licensed separately, and—on the CMA's own analysis—are subject to different competitive constraints (as discussed above with respect to app stores and browsers).

[119] *E.g.,* DMCCA Guidance ¶3.7, which highlights concerns that grouping should not be a 'backdoor' to including activities that do not have SEMP.

111. But the PD *fails* to examine SEMP for each of the products individually—in particular Chrome and Blink, where the PD's reasoning is extremely thin. And where the PD seeks to assess competition by reference to "*Google's Mobile Platform*" as a whole, it becomes incoherent. For example:

a. The PD states in relation to competition between Google's and Apple's "*Mobile Platforms*" that it "*found no evidence of Google adjusting its prices in response to competition from Apple in its internal documents*" (PD, ¶¶4.53-4.54). It is unclear which specific activity (or prices) the PD refers to here and what the correct inference is for relevant competitive constraints, as there is no 'pricing' for the "*Mobile Platform*"—and, as explained above, Google does not set pricing for devices of other OEMs. In any event, as explained at **Section II.A.2**, *above*, Google *does* adjust its commercial strategy, including prices, in response to the competitive constraint from Apple.

b. Where the PD analyses the impact of future developments, such as AI, in relation to the entire mobile platform, the evidence cited in the PD indicates that third parties considered future developments and competitive dynamics for each relevant activity separately, *e.g.,* for each of OSs, mobile browsers, and native app distribution.[120] The PD does *not* seek to analyse what the impact of such developments would be for the purported 'entrenchment' of each component, nor how such developments might in turn affect Google's purported SEMP in the 'grouped' activity.

112. For these reasons, the currently proposed 'grouped' designation is fraught with error and should be abandoned. At the very least, Chrome and Blink ought not to be treated as part of a grouped activity with Android and Play.

B. The PD's delineation of the designated activities is overly broad

113. **Mobile OS.** As Google has explained separately, the PD's proposed definition of "*Mobile Operating Systems*" is overly broad, mischaracterises what an OS is, and fails to provide a workable and principles-based approach that would support the application of substantive obligations. The CMA will need to modify its approach in a final decision to avoid an incorrect and disproportionate designation that would chill innovation and hinder growth in the UK.

114. **Native app distribution.** The PD proposes to define Native App Distribution as "*the provision of a service which enables the installation, distribution, and operation of native apps on mobile devices, which are apps written to run on the Mobile Operating System*" (PD, ¶1.14(b)). This includes the "*preinstallation, place and defaults*" of Google's apps on Android devices by OEMs, "*the process for users to sideload*" on Android, "*cloud management tools*", "*developer tools for the developing, testing and distribution of native apps*", and middleware and APIs for "*installation, distribution and operation of native apps*" (PD, ¶¶4.36(d) and 4.46(b)).

115. [✂].

116. **Browser / browser engine.** The PD proposes to define the provision of a mobile browser and browser engine as comprising *"(i) the provision of a software application that enables users of*

120 *E.g.,* PD, ¶6.142(a)-(b).

mobile devices to access and search the internet and interact with web content; and (ii) the provision of a mobile browser engine, which is the underlying technology which native apps on mobile devices use to transform web page source code into content with which users can engage" (PD, ¶4.45(c)).

117. This definition is unduly broad as it would potentially capture any (future) app or innovation that "*enables users of mobile devices to access and search the internet and interact with web content*" beyond Chrome as a native mobile browser app. The PD's assessment is confined to competitive dynamics applicable to mobile browser applications and browser engines. Accordingly, the PD's definition should be confined to these products.[121] It should not extend to other ways for users to surf the web that may potentially emerge in future. Any such activities would need to be the subject of a separate investigation; they cannot automatically be captured by a purportedly all-encompassing definition of "*mobile browser*".

V. Conclusion

118. Both the UK Government and the CMA have emphasised that the DMCCA will take a nimble approach to regulation. A key tenet of the regime—which has been variously described as "*very targeted*",[122] "*thorough, evidence-based*",[123] and "*stable, predictable, and proportionate*"[124]—is that it will only be applied to companies with "*unprecedented market power*", leading to low quality, reduced innovation, and unhappy consumers.

119. In proposing to designate Google, which not only trails Apple in mobile, but also operates a uniquely pro-choice, pro-innovation, and pro-competition model, the PD would go against this doctrine. It would do so on flawed premises. Because it dismisses the rivalry between Android and Apple, the PD ignores the existential threat of platform-level competition from iOS that Android faces. Because it overlooks the intra-platform competition within Android, it discounts the additional layer of competition that Google's mobile products and services face from a host of alternatives. And because it misreads clear procompetitive outcomes (including exceptionally high levels of consumer and developer satisfaction, rampant innovation, increasing output, and falling prices), takes an irrational approach to assessing the evidence, and makes unsupported conclusory statements, its analysis is vitiated by factual and legal errors.

120. A decision that Google has SMS in mobile would therefore not only be wrong on the facts and on the law, but it would also significantly widen the net of what is caught within the DMCCA's ambit, and penalise exactly the type of conduct the legislation seeks to encourage. This risks having a

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121 This is without prejudice to Google's position explained at ¶95(g), *above,* that browsers compete on a cross-platform basis, including Android and iOS devices, but also on desktop.

122 Sarah Cardell, Speech, The CMA's approach to digital markets regulation, 11 January 2024.

123 CMA, Overview of the CMA's provisional approach to implement the new Digital Markets competition regime, 2024, 5.3.

124 Sarah Cardell, Speech, Promoting and protecting consumers in the digital age: a roadmap for growth, 10 March 2025.

chilling effect on innovation and growth in the tech sector in the UK—the opposite of what the DMCCA was intended to do.

121. We urge the CMA to reconsider the PD and stand ready to assist the CMA for the remainder of its investigation.